

EXHIBIT A

Richard Lode

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JANE BARNES,) No.: 07cv 6103 (SHS)

6

Plaintiff,)

7

vs.)

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) DEPOSITION OF:

LIFE INSURANCE COMPANY)

9

OF NORTH AMERICA,)

10

Defendant.)

) DATE:

) January 16, 2008

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)

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) REPORTED BY:

) Bernadette Mullen

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DEPOSITION OF RICHARD LODI,

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the witness herein, called upon for examination,

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taken pursuant to the New York Rules of Civil

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Procedure, by and before Bernadette Mullen, a Court

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Reporter and Notary Public in and for the

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Commonwealth of Pennsylvania, at the Offices of

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Esquire Deposition Services, 1825 Gulf Tower, 707

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Grant Street, Pittsburgh, Pennsylvania, on Wednesday,

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January 16, 2008, commencing at 12:15 p.m.

25

JOB NO. 200057

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<p>Page 2</p> <p>1 COUNSEL PRESENT</p> <p>2</p> <p>3 For the Plaintiff: Justin Newfield, Esquire</p> <p>4 FRANKEL & NEWFIELD, P.C.</p> <p>5 585 Stewart Avenue - Suite 301</p> <p>6 Garden City, New York 11530</p> <p>7</p> <p>8 For the Defendant: Fred N. Knopf, Esquire</p> <p>9 WILSON ELSE</p> <p>10 3 Gannett Drive</p> <p>11 White Plains, NY 10604-3407</p> <p>12</p> <p>13 I-N-D-E-X</p> <p>14 DEPONENT PAGE</p> <p>15 RICHARD LODI</p> <p>16 By Mr. Newfield 3, 41</p> <p>17 By Mr. Knopf 39</p> <p>18</p> <p>19 E-X-H-I-B-I-T-S</p> <p>20 MARKED PAGE</p> <p>21 Deposition Exhibit A 9</p> <p>22 Deposition Exhibit B 13</p> <p>23 Deposition Exhibit C 25</p> <p>24 Deposition Exhibit D 28</p> <p>25 Deposition Exhibit E 32</p>	<p>Page 4</p> <p>1 If you do answer the question, I'm going to</p> <p>2 assume that you did understand the question. I</p> <p>3 think that's an important aspect of this. I'll</p> <p>4 just state for that record that you are</p> <p>5 appearing today on behalf of Life Insurance</p> <p>6 Company of North America in response to a</p> <p>7 deposition notice that was served upon your</p> <p>8 counsel in this case; is that correct?</p> <p>9 A Yes, that is correct.</p> <p>10 Q Another instruction, while a question is pending</p> <p>11 I would ask that you don't have any discussions</p> <p>12 with your counsel. If at any point in time</p> <p>13 you'd like to have a discussion with your</p> <p>14 counsel, so long as there is not a question</p> <p>15 pending, just let me know and you guys could</p> <p>16 discuss whatever issues you have, whether on the</p> <p>17 record or off the record.</p> <p>18 Okay?</p> <p>19 A I will certainly do that.</p> <p>20 MR. NEWFIELD: I would just ask</p> <p>21 the court reporter since we're not</p> <p>22 there if you could be our eyes and</p> <p>23 ears and indicate if there are any</p> <p>24 discussions occurring while a question</p> <p>25 is pending, which I don't presume will</p>
<p>Page 3</p> <p>1 P-R-O-C-E-E-D-I-N-G-S</p> <p>2</p> <p>3 RICHARD LODI,</p> <p>4 a witness herein,</p> <p>5 having been first duly sworn,</p> <p>6 was examined and testified as follows:</p> <p>7</p> <p>8 EXAMINATION</p> <p>9 BY MR. NEWFIELD:</p> <p>10 Q Good morning, Mr. Lodi. My name is Jason</p> <p>11 Newfield. In the action entitled Jane Barnes</p> <p>12 versus Life Insurance Company of North America,</p> <p>13 my office represents Janes Barnes. We are going</p> <p>14 to be asking you a series of questions today.</p> <p>15 While we're not in person, I'd like you to</p> <p>16 envision me sitting next to you. I see that big</p> <p>17 smile that just came across your face. If you</p> <p>18 don't understand my questions, because we are by</p> <p>19 phone, please let me know and I will do my best</p> <p>20 to rephrase the question or ask it in a manner</p> <p>21 in which you'll be able to understand it and</p> <p>22 answer. Okay?</p> <p>23 A I certainly will. If my voice doesn't come</p> <p>24 through clearly, please let me know as well.</p> <p>25 Q So far, so good.</p>	<p>Page 5</p> <p>1 occur, but just because we don't have</p> <p>2 a videotape and we're not there.</p> <p>3 Thank you.</p> <p>4 MR. DEFT: Mr. Newfield, I also</p> <p>5 want to note for the record that</p> <p>6 Mr. Lodi is being produced pursuant to</p> <p>7 your notice to LINA made under Rule</p> <p>8 30(b)6 of the Federal Rules of Civil</p> <p>9 Procedure. We are proffering Mr.</p> <p>10 Lodi to speak about topics 1, 3, and 4</p> <p>11 contained in the Notice which is dated</p> <p>12 January 7, 2008. Quite frankly, we</p> <p>13 think he might be able to speak on</p> <p>14 topic No. 2, but it seemed as though</p> <p>15 some language was missing, so it's a</p> <p>16 little unclear to us, but Mr. Lodi is</p> <p>17 being proffered for the operational</p> <p>18 aspects of information responsive to</p> <p>19 these topics.</p> <p>20 As you know, we have also</p> <p>21 proffered two witnesses to be deposed</p> <p>22 on Friday that are familiar with the</p> <p>23 personnel related and</p> <p>24 accounting/finance related topics that</p> <p>25 are covered by a reasonable</p>

2 (Pages 2 to 5)

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<p style="text-align: right;">Page 6</p> <p>1 interpretation of these questions or</p> <p>2 topics.</p> <p>3 MR. NEWFIELD: Fair enough. Then</p> <p>4 I guess my response will be that this</p> <p>5 is the first time we're being advised</p> <p>6 of the specific topics in which Mr.</p> <p>7 Lodi is being proffered and we will do</p> <p>8 our best if we address issues under</p> <p>9 category 2 to stay within his realm of</p> <p>10 knowledge. I guess my only further</p> <p>11 response to that is we are not sure</p> <p>12 where the accounting or finance</p> <p>13 overlaps or the personnel overlaps,</p> <p>14 but I presume we'll do our best to</p> <p>15 work through those issues together.</p> <p>16 If we have an issue or a problem,</p> <p>17 we'll work to resolve it. Okay?</p> <p>18 I'm taking your silence, I guess,</p> <p>19 as acquiescence.</p> <p>20 MR. DEFT: Yes. I don't typically</p> <p>21 make it a habit of answering questions</p> <p>22 during depositions.</p> <p>23 MR. NEWFIELD: I'm just trying to</p> <p>24 work through the issues, but fair</p> <p>25 enough.</p>	<p style="text-align: right;">Page 8</p> <p>1 THE DEPONENT: I understand.</p> <p>2 BY MR. NEWFIELD:</p> <p>3 Q I just used a term that was not defined. I used</p> <p>4 the term Cigna group insurance. Can you tell me</p> <p>5 what your understanding of Cigna Group Insurance</p> <p>6 is?</p> <p>7 A My understanding is that it's a marketing brand</p> <p>8 for disability products offered by various Cigna</p> <p>9 companies.</p> <p>10 Q What companies would fall within that group?</p> <p>11 A The three underwriting entities of Life</p> <p>12 Insurance Company of North America, Cigna Life</p> <p>13 Insurance Company of New York and Connecticut</p> <p>14 General Life Insurance Company.</p> <p>15 Q What is your job title within -- what is your</p> <p>16 job title?</p> <p>17 A Senior operations representative.</p> <p>18 Q Who is your employer?</p> <p>19 A I worked for Life Insurance Company of North</p> <p>20 America.</p> <p>21 Q What is your job -- I know your job title is</p> <p>22 senior operations representative. What does</p> <p>23 that mean? What are your duties?</p> <p>24 MR. KNOPF: Objection form.</p> <p>25 THE DEPONENT: I worked with</p>
<p style="text-align: right;">Page 7</p> <p>1 BY MR. NEWFIELD:</p> <p>2 Q Mr. Lodi, initially, let me ask you this. Have</p> <p>3 you previously been deposed in any other case?</p> <p>4 A Yes, I have been.</p> <p>5 Q Can you estimate for me the amount of times</p> <p>6 you've been previously deposed?</p> <p>7 A I would estimate sixteen, sixteen times.</p> <p>8 Q In those capacities where you were deposed, was</p> <p>9 that all in relation to knowledge about either</p> <p>10 LINA -- for the purpose of this deposition I'm</p> <p>11 going to say LINA to reference Life Insurance</p> <p>12 Company of North America and any of the</p> <p>13 companies that fall within the Cigna group</p> <p>14 insurance?</p> <p>15 MR. KNOPF: Objection.</p> <p>16 You can answer.</p> <p>17 THE DEPONENT: Yes, that is</p> <p>18 correct.</p> <p>19 BY MR. NEWFIELD:</p> <p>20 Q I mean that in contrast with any personal action</p> <p>21 you might have had, whether a third party action</p> <p>22 where you were a plaintiff or a defendant</p> <p>23 personally?</p> <p>24 MR. KNOPF: Objection to form.</p> <p>25 You can answer.</p>	<p style="text-align: right;">Page 9</p> <p>1 claims, short-term and long-term</p> <p>2 disability claims that are in</p> <p>3 litigation.</p> <p>4 MR. NEWFIELD: If the court</p> <p>5 reporter could please mark the</p> <p>6 Affidavit of Richard Lodi as Exhibit</p> <p>7 A.</p> <p>8 (Whereupon, Deposition Exhibit A was</p> <p>9 marked for purposes of identification)</p> <p>10 BY MR. NEWFIELD:</p> <p>11 Q Mr. Lodi, I would like you to take a look at</p> <p>12 what's been marked as Exhibit A and ask you to</p> <p>13 identify that document for me, please.</p> <p>14 A This is an affidavit in the matter of Jane</p> <p>15 Barnes against Life Insurance Company of North</p> <p>16 America that I signed on September 11 of last</p> <p>17 year.</p> <p>18 Q Is that a two-page document?</p> <p>19 A Two pages along with an attachment noted to be</p> <p>20 Exhibit A, which is maybe two to five pages</p> <p>21 long.</p> <p>22 Q But the actual body of your affidavit is two</p> <p>23 pages?</p> <p>24 A That is correct.</p> <p>25 Q With nine numbered paragraphs?</p>

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<p style="text-align: right;">Page 10</p> <p>1 A Yes, sir.</p> <p>2 Q Thank you.</p> <p>3 I'd like you to take a moment to read to</p> <p>4 yourself Paragraph 2 and then I'm going to ask</p> <p>5 you a question?</p> <p>6 A Okay.</p> <p>7 Q Have you read it?</p> <p>8 A Yes, I have.</p> <p>9 Q It indicates that as part of the job</p> <p>10 responsibilities you're familiar with Jane</p> <p>11 Barnes' claim for disability benefits; is that</p> <p>12 correct?</p> <p>13 A Yes, it does.</p> <p>14 Q It indicates that it's under a policy notated as</p> <p>15 LK-7321; is that correct?</p> <p>16 A Yes.</p> <p>17 Q It also indicates that you're familiar with the</p> <p>18 claim file relating to Mrs. Barnes' claim?</p> <p>19 A Yes.</p> <p>20 Q Have you reviewed any materials in preparation</p> <p>21 for today's deposition?</p> <p>22 A No, I've not.</p> <p>23 Q Have you had any discussions with anyone in</p> <p>24 preparation for today's deposition?</p> <p>25 A Yes, I did.</p>	<p style="text-align: right;">Page 12</p> <p>1 A No. I did review the claim file prior to</p> <p>2 signing.</p> <p>3 Q When you say you reviewed the claim file, can</p> <p>4 you describe for me without saying precisely</p> <p>5 what you reviewed, but generally what you</p> <p>6 reviewed, what type of documents, or you can</p> <p>7 tell me that you reviewed the entirety of the</p> <p>8 claim file?</p> <p>9 A I did review the entirety of the claim file.</p> <p>10 Q Are you familiar with the entirety of the claim</p> <p>11 file?</p> <p>12 A My recollection -- I haven't reviewed it</p> <p>13 actually since I did this initial review.</p> <p>14 Q How many times did you spend reviewing the</p> <p>15 entirety of the claim file prior to executing</p> <p>16 this affidavit?</p> <p>17 A I would say approximately 30 to 45 minutes.</p> <p>18 Q Did you review the policy documentation during</p> <p>19 the course of your review of the claim file?</p> <p>20 A I believe I noted it as being contained in the</p> <p>21 claim file, but I didn't think it was necessary</p> <p>22 to review that document page by page as I did</p> <p>23 the rest of the claim file.</p> <p>24 Q Are you familiar at all with this particular</p> <p>25 long-term disability claim plan, LK-73231?</p>
<p style="text-align: right;">Page 11</p> <p>1 Q Can you identify for me who you've had</p> <p>2 discussions with?</p> <p>3 A I had a discussion with Fred.</p> <p>4 Q I don't want to know the nature of your</p> <p>5 discussion with counsel because it's likely</p> <p>6 privileged. Other than Fred Knopf, have you had</p> <p>7 discussions in advance of today's deposition</p> <p>8 with anyone concerning your deposition today?</p> <p>9 A No.</p> <p>10 Q Prior to this deposition, have you had</p> <p>11 discussion with anyone concerning Mrs. Barnes'</p> <p>12 claim?</p> <p>13 A No.</p> <p>14 Q In connection with this affidavit that you</p> <p>15 executed on September 11, 2007, did you have</p> <p>16 discussions with anyone regarding the substance</p> <p>17 of this affidavit?</p> <p>18 A No, I did not.</p> <p>19 Q Did you prepare this affidavit or did someone</p> <p>20 prepare it on your behalf?</p> <p>21 A It was prepared on my behalf.</p> <p>22 Q Presumably it was prepared by counsel?</p> <p>23 A That's my understanding, yes.</p> <p>24 Q Did you have any discussions with counsel prior</p> <p>25 to signing this affidavit?</p>	<p style="text-align: right;">Page 13</p> <p>1 MR. KNOPF: Objection to form.</p> <p>2 I'm not sure I understand what you</p> <p>3 mean by that.</p> <p>4 BY MR. NEWFIELD:</p> <p>5 Q Have you ever reviewed policy LK-7321?</p> <p>6 A Yes, I have.</p> <p>7 MR. NEWFIELD: What I would like</p> <p>8 to do, I'd like to ask the court</p> <p>9 reporter to mark the lengthy document</p> <p>10 which is under Exhibit A and we're</p> <p>11 going to make that Exhibit B.</p> <p>12 MR. KNOPF: Give us one second. I</p> <p>13 want to get a stapler because there's</p> <p>14 papers all over.</p> <p>15 (Off the record)</p> <p>16 MR. KNOPF: Jason, do you want --</p> <p>17 there's a cover sheet that says</p> <p>18 Exhibit A --</p> <p>19 MR. NEWFIELD: I want to remove</p> <p>20 that and I just want to work off</p> <p>21 whatever those documents are in</p> <p>22 Exhibit B.</p> <p>23 (Whereupon, Deposition Exhibit B was</p> <p>24 marked for purposes of identification)</p> <p>25 MR. NEWFIELD: I'm just going to</p>

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<p>1 note for the record that page 1 at the</p> <p>2 bottom of the second sheet, that it</p> <p>3 jumps to page 3 then it jumps to page</p> <p>4 5, then it seems to be sequential.</p> <p>5 I'm not sure if this is the complete</p> <p>6 policy, but, nonetheless, I'm going to</p> <p>7 ask questions predicated upon this</p> <p>8 document.</p> <p>9 MR. KNOPF: That is what you faxed</p> <p>10 over here.</p> <p>11 BY MR. NEWFIELD:</p> <p>12 Q Mr. Lodi, I think you just stated that you were</p> <p>13 familiar with this particular plan; is that</p> <p>14 correct?</p> <p>15 A Yes.</p> <p>16 Q But that you hadn't reviewed it in connection</p> <p>17 with Ms. Barnes' claim?</p> <p>18 A That is correct.</p> <p>19 Q So, what is the basis of your familiarity with</p> <p>20 this plan document?</p> <p>21 A I say that because I'm basically familiar with</p> <p>22 the line of policies that I review in my current</p> <p>23 role as necessary and in my prior roles with the</p> <p>24 company.</p> <p>25 Q Have you in your role with the company at any</p>	<p>1 respect to the Zeneca Holdings policy?</p> <p>2 A Tying into the preceding sentence in the</p> <p>3 paragraph above, it's noted: Employees in the</p> <p>4 following locations, bargaining groups or</p> <p>5 occupational classes are eligible for insurance</p> <p>6 under this policy.</p> <p>7 Q That's what it says. Can you tell me what it</p> <p>8 means to you?</p> <p>9 A That someone working in New York, New York as a</p> <p>10 salaried employee could be covered under this</p> <p>11 policy.</p> <p>12 Q So that the Zeneca Holdings policy that was</p> <p>13 issued by LINA would cover employees that are</p> <p>14 located in New York?</p> <p>15 A Potentially as well as all of the other</p> <p>16 locations listed.</p> <p>17 Q Yes, all the ones that are identified on that</p> <p>18 page as well as on page 6, correct?</p> <p>19 A Correct.</p> <p>20 Q How long have you worked for LINA?</p> <p>21 A I've been with the company since January of</p> <p>22 1988, about 20 years.</p> <p>23 Q In the approximate 20 years that you've worked</p> <p>24 for LINA, have you ever had occasion to be</p> <p>25 involved in a claim with a -- prior to Ms.</p>
Page 15	Page 17
<p>1 previous time had occasion to specifically look</p> <p>2 at a Zeneca Holdings policy?</p> <p>3 A Yes.</p> <p>4 Q What I'd like to do is turn your attention to</p> <p>5 the page within this exhibit that is noted at</p> <p>6 the bottom as page 5.</p> <p>7 A Okay.</p> <p>8 Q Thank you. Can you indicate for me in a general</p> <p>9 sense what this page references?</p> <p>10 A It references the Certificate of Insurance</p> <p>11 identifying those individuals who are eligible,</p> <p>12 providing information about the waiting period</p> <p>13 and giving an initial description, if you will,</p> <p>14 of the classes of eligible persons.</p> <p>15 Q Within those classes of eligible persons, I'd</p> <p>16 like you look to on -- I'm going to note for the</p> <p>17 record that there appear to be two columns that</p> <p>18 are identified below that. Would you agree?</p> <p>19 A Yes, that is correct.</p> <p>20 Q Look to the column to your right and look down</p> <p>21 to the third identified location.</p> <p>22 Do you see what that says?</p> <p>23 A Yes. It says, New York, New York: Salaried</p> <p>24 employees.</p> <p>25 Q Do you know what significance that has with</p>	<p>1 Barnes for a Zeneca Holdings employee?</p> <p>2 A Yes, I have.</p> <p>3 Q Do you recall approximately how many?</p> <p>4 A No, I don't. In one of the prior roles, I was a</p> <p>5 regional claims manager responsible for several</p> <p>6 teams of case managers. I do recall the Zeneca</p> <p>7 policy being in one of my teams.</p> <p>8 Q So, in that regard, even though you can't</p> <p>9 approximate how many claimants you've had</p> <p>10 exposure to from Zeneca Holdings, do you have</p> <p>11 any specific recollections as to whether any of</p> <p>12 those claimants resided in New York?</p> <p>13 MR. KNOPF: Objection. Are you</p> <p>14 asking Mr. Lodi that question in his</p> <p>15 personal capacity or in the corporate</p> <p>16 capacity pursuant to which he's being</p> <p>17 proffered at this deposition?</p> <p>18 MR. NEWFIELD: Well, his knowledge</p> <p>19 is predicated upon his experience with</p> <p>20 LINA. So, it's in that capacity that</p> <p>21 I'm asking him. I'm not sure that I</p> <p>22 have to characterize it as personal or</p> <p>23 corporate. He is an agent of the</p> <p>24 corporation and is being proffered as</p> <p>25 an agent of the corporation pursuant</p>

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<p style="text-align: right;">Page 18</p> <p>1 to 30(b)6, but his experience brings</p> <p>2 to bear responses to these questions.</p> <p>3 THE DEPONENT: I don't have a</p> <p>4 specific recollection of working with</p> <p>5 or on any Zeneca employee's claim who</p> <p>6 resides in the State of New York.</p> <p>7 BY MR. NEWFIELD:</p> <p>8 Q Do you have knowledge as to how claim handling</p> <p>9 personnel are assigned claim files?</p> <p>10 A Yes, I do.</p> <p>11 Q Can you share that with us.</p> <p>12 A Yes. Basically when a new policyholder -- a</p> <p>13 company that has their disability insurance with</p> <p>14 us is assigned to one of our three claim</p> <p>15 offices, the team leader with the help of their</p> <p>16 regional claims manager will largely look at the</p> <p>17 claim volume within a team and, ideally, we want</p> <p>18 to assign one case manager to the employer so</p> <p>19 that can be their main point of contact, if you</p> <p>20 will, and give them an opportunity to develop a</p> <p>21 good working relationship with the customer.</p> <p>22 That decision is largely based on volume and</p> <p>23 capacity within the team.</p> <p>24 Q The claim people -- strike that, please.</p> <p>25 You mentioned three offices. Can you</p>	<p style="text-align: right;">Page 20</p> <p>1 THE DEPONENT: Yes, that is</p> <p>2 correct.</p> <p>3 BY MR. NEWFIELD:</p> <p>4 Q Why don't you identify for me the different</p> <p>5 underwriting entities that employees of -- claim</p> <p>6 employees of LINA will be handling or charged</p> <p>7 with handling?</p> <p>8 MR. KNOPF: I've got to interrupt.</p> <p>9 I hate to interrupt, but could you</p> <p>10 please re-do that.</p> <p>11 MR. NEWFIELD: Sure. We've</p> <p>12 established that all the claim</p> <p>13 handling personnel are employees of</p> <p>14 LINA. I'm asking if he can identify</p> <p>15 for me the entities in which the LINA</p> <p>16 employees handle claims. I expect</p> <p>17 that answer is going to be LINA,</p> <p>18 CLICNY and Connecticut General.</p> <p>19 MR. KNOPF: Then I'd appreciate it</p> <p>20 if you actually posed that question.</p> <p>21 BY MR. NEWFIELD:</p> <p>22 Q So, Mr. Lodi, can you identify for me each of</p> <p>23 the underwriting companies that any LINA</p> <p>24 employee claims handling personnel handles</p> <p>25 claims for?</p>
<p style="text-align: right;">Page 19</p> <p>1 identify the locations of those three offices?</p> <p>2 A Sure. They're in Glendale, California; Dallas,</p> <p>3 Texas; and Pittsburgh, Pennsylvania.</p> <p>4 Q Claim personnel that operate out of Glendale,</p> <p>5 California, do you know whether they're</p> <p>6 employees of LINA or one of the other entities</p> <p>7 -- one of the other underwriting entities?</p> <p>8 A My understanding is everyone who works in any of</p> <p>9 the three claims offices is an employee of</p> <p>10 LINA -- or are employees of LINA.</p> <p>11 Q So, all of claim handling personnel are</p> <p>12 employees of LINA to the best of your knowledge?</p> <p>13 A Yes.</p> <p>14 Q What about respect to medical in-house</p> <p>15 personnel, are those also employees of LINA?</p> <p>16 A Yes.</p> <p>17 Q What about vocational personnel in-house, are</p> <p>18 those also employees of LINA to the best of your</p> <p>19 knowledge?</p> <p>20 A Yes.</p> <p>21 Q Is it fair to say that employees of LINA will</p> <p>22 handle claims from underwriting companies in</p> <p>23 addition to simply the LINA underwriting</p> <p>24 company?</p> <p>25 MR. KNOPF: Objection to form.</p>	<p style="text-align: right;">Page 21</p> <p>1 A Yes, and they are the three entities that you</p> <p>2 identified.</p> <p>3 Q Can you specifically state those for the record,</p> <p>4 please.</p> <p>5 A They are CLICNY, CGLIC and LINA.</p> <p>6 Q Because I'd like a very clear record, rather</p> <p>7 than use acronyms, can you articulate those?</p> <p>8 A Certainly. Cigna Life Insurance Company of New</p> <p>9 York, Life Insurance Company of North America</p> <p>10 and Connecticut General Life Insurance Company.</p> <p>11 Q With regard to the Connecticut General Life</p> <p>12 Insurance Company, do you know what states the</p> <p>13 policyholders in which those policies are issued</p> <p>14 are domiciled?</p> <p>15 MR. KNOPF: Objection. I have no</p> <p>16 idea what you mean by that.</p> <p>17 BY MR. NEWFIELD:</p> <p>18 Q Since it's not attached, I'm going to just tell</p> <p>19 you. I want to know what states Connecticut</p> <p>20 General does the underwriting for.</p> <p>21 Do you understand the question, Mr. Lodi?</p> <p>22 A My understanding is that there are individuals</p> <p>23 covered under General Life Insurance Company</p> <p>24 claims. I don't know that there are any states</p> <p>25 they don't come from. I'm thinking of some of</p>

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<p>1 the large policyholders, AT&T and Lucent, for</p> <p>2 example, that are Nationwide.</p> <p>3 Q Maybe I wasn't clear, and I understand your</p> <p>4 answer and I would like to touch upon that</p> <p>5 shortly, but I think that in previous responses</p> <p>6 you've indicated that LINA, Life Insurance</p> <p>7 Company of North America, does not issue any</p> <p>8 policies in New York, correct?</p> <p>9 A That is correct.</p> <p>10 Q So, I guess my question is, where does CLICNY</p> <p>11 issue policies, what policyholders in what</p> <p>12 states?</p> <p>13 A I believe that would be New York State.</p> <p>14 Q What about CGLIC, what states?</p> <p>15 A I'm not familiar with any states in which they</p> <p>16 do not issue policies. I didn't do any research</p> <p>17 with respect to any states that CGLIC is not</p> <p>18 license to do business in.</p> <p>19 Q LINA issues in what states?</p> <p>20 A My understanding is all the states, but New</p> <p>21 York.</p> <p>22 Q I think you touched about that some</p> <p>23 policyholders are national so they may have</p> <p>24 employees throughout the United States?</p> <p>25 A Yes.</p>	<p>1 Q How about the same question with regard to</p> <p>2 CGLIC?</p> <p>3 A No.</p> <p>4 Q No employees that handle disability claims?</p> <p>5 A No.</p> <p>6 Q Do you have any knowledge as to what type of</p> <p>7 people are employed by CLICNY?</p> <p>8 MR. KNOPF: Only good people.</p> <p>9 Can you ask a different question.</p> <p>10 MR. NEWFIELD: I expected the</p> <p>11 objection to form.</p> <p>12 BY MR. NEWFIELD:</p> <p>13 Q If you can characterize them, without</p> <p>14 adjectives, but with titles.</p> <p>15 A I believe there's a sale offices in New York.</p> <p>16 Q What about with respect to CGLIC, can you</p> <p>17 provide, to the best of your knowledge, job</p> <p>18 titles rather than adjectives?</p> <p>19 A Well, my understanding and knowledge is that all</p> <p>20 three entities have their own disparate sales</p> <p>21 force and they also have different underwriters</p> <p>22 as well.</p> <p>23 Q But everything on the claim side is through LINA</p> <p>24 employees, correct?</p> <p>25 A Yes.</p>
Page 23	Page 25
<p>1 Q Is Zeneca one of those policyholders to your</p> <p>2 knowledge?</p> <p>3 A I don't believe so.</p> <p>4 Q But Zeneca certainly has employees in more than</p> <p>5 one state, correct?</p> <p>6 A Yes, that is correct.</p> <p>7 Q Do you have any knowledge as to whether Zeneca a</p> <p>8 has employees in New York?</p> <p>9 A I had looked in our system. I believe since the</p> <p>10 policy was incurred in 1990 there were</p> <p>11 approximately 133 claims and one of them,</p> <p>12 although the system showed a work address of</p> <p>13 Delaware, the last mailing address for the</p> <p>14 claimant in the system was Victor, New York, but</p> <p>15 I didn't have a chance to look at that claim</p> <p>16 file. I don't know if that's where the</p> <p>17 individual moved or if that's where they've been</p> <p>18 throughout.</p> <p>19 Q So, that was 133 claims for Zeneca employees</p> <p>20 since 1990?</p> <p>21 A Yes.</p> <p>22 Q To your knowledge, does CLICNY have any employees</p> <p>23 - CLICNY employees that handle disability</p> <p>24 claims?</p> <p>25 A No.</p>	<p>1 MR. NEWFIELD: I would like to</p> <p>2 have the court reporter mark I believe</p> <p>3 what we sent over as Exhibit B, which</p> <p>4 is the Subsidiaries of the Registrant.</p> <p>5 We'll make that Exhibit C.</p> <p>6 (Whereupon, Deposition Exhibit C was</p> <p>7 marked for purposes of identification)</p> <p>8 BY MR. NEWFIELD:</p> <p>9 Q Mr. Lodi, I would like to look at what's been</p> <p>10 marked as C for identification, please.</p> <p>11 A Yes, I have it in front of me.</p> <p>12 Q Are you familiar with this document?</p> <p>13 A This is the first time I'm seeing it, but it</p> <p>14 looks self-explanatory.</p> <p>15 Q If we can ignore what's at the header of the</p> <p>16 pages and focus on the body of the page, can you</p> <p>17 tell me what you believe this document to be?</p> <p>18 A I believe it's a list of the subsidiaries of</p> <p>19 Cigna Corporation as of December 31, 2005 with</p> <p>20 their jurisdictions of organizations shown in</p> <p>21 parentheses.</p> <p>22 Q What is Cigna Corporation?</p> <p>23 A My understanding is it's a holding company.</p> <p>24 Q If we could look at both page 1 and 2 as best</p> <p>25 you can simultaneously, do you see that there's</p>

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<p>1 a Roman numeral I on page 1 of that and then a</p> <p>2 Roman numeral 2 on the second page --</p> <p>3 A Yes, I see that.</p> <p>4 Q -- which seems to indicate some broader</p> <p>5 categories. Can you identify for me what those</p> <p>6 broader categories are?</p> <p>7 A Roman numeral I is Connecticut General</p> <p>8 Corporation and Roman numeral II is Global</p> <p>9 Holdings, Incorporated.</p> <p>10 Q What is Connecticut General Corporation?</p> <p>11 A I'm not sure how to respond to that. It is</p> <p>12 Connecticut General Corporation.</p> <p>13 Q Do you have an understanding as to what</p> <p>14 Connecticut General Corporation does?</p> <p>15 A I believe they underwrite various insurance</p> <p>16 products -- or through their subsidiaries they</p> <p>17 do so. It's also a medical provider.</p> <p>18 Q Is one of those underwriting companies LINA?</p> <p>19 A Yes.</p> <p>20 Q Another one is CLICNY?</p> <p>21 A Yes.</p> <p>22 Q And another one is CGLIC?</p> <p>23 A Yes.</p> <p>24 Q In the course of reviewing this file, did you</p> <p>25 come across the name Dawn Barrett?</p>	<p>1 going to ask the court reporter to</p> <p>2 mark what I think came under Exhibit C</p> <p>3 which we'll mark Exhibit D.</p> <p>4 MR. KNOPF: A two-page Declaration</p> <p>5 of Dawn Barrett?</p> <p>6 MR. NEWFIELD: Yes.</p> <p>7 (Whereupon, Deposition Exhibit D was</p> <p>8 marked for purposes of identification)</p> <p>9 BY MR. NEWFIELD:</p> <p>10 Q Take a couple of minutes or however much time</p> <p>11 you need to review seven-paragraph declaration</p> <p>12 and tell me when you're ready to answer a</p> <p>13 question.</p> <p>14 A Okay.</p> <p>15 Q You're ready?</p> <p>16 A Yes.</p> <p>17 Q Have you seen this document prior to today?</p> <p>18 A No, I have not.</p> <p>19 Q Do you know what this document is in regards to?</p> <p>20 A Not specifically.</p> <p>21 Q Can you read Paragraph 3 once again to yourself</p> <p>22 and then I want to ask you a question.</p> <p>23 A Okay.</p> <p>24 Q Do you see where she says she represents to</p> <p>25 insureds and others that she's a representative</p>
Page 27	Page 29
<p>1 A In the course of reviewing the file for Jane</p> <p>2 Barnes?</p> <p>3 Q Yes.</p> <p>4 A Not that I recall.</p> <p>5 Q Do you know Dawn Barrett?</p> <p>6 A Yes.</p> <p>7 Q How do you know Dawn Barrett?</p> <p>8 A When I was regional claims manager she was -- I</p> <p>9 was responsible for the -- I believe it was the</p> <p>10 support team at that time and she was a member</p> <p>11 of that team. I believe now she's a short-term</p> <p>12 case manager in the Pittsburgh claims office.</p> <p>13 Q When you had involvement on the claims side, did</p> <p>14 she report to you?</p> <p>15 A Her manager reported to me.</p> <p>16 Q How many steps beneath you in the chain of</p> <p>17 command was Dawn Barrett at that time?</p> <p>18 MR. KNOPF: Objection to form.</p> <p>19 THE DEPONENT: Well, the way the</p> <p>20 support team was structured, they all</p> <p>21 reported to one team leader and that</p> <p>22 team leader was one of my direct</p> <p>23 reports.</p> <p>24 MR. NEWFIELD: I would like you to</p> <p>25 take a look at a document that I'm</p>	<p>1 of Cigna?</p> <p>2 A Yes, I see that.</p> <p>3 Q Do you similarly represent -- hold yourself out</p> <p>4 as a representative of Cigna?</p> <p>5 MR. KNOPF: Objection. I don't</p> <p>6 know how the witness can answer that.</p> <p>7 It assumes that what's in this</p> <p>8 affidavit or declaration is accurate.</p> <p>9 MR. NEWFIELD: Fair enough.</p> <p>10 BY MR. NEWFIELD:</p> <p>11 Q Do you hold yourself out to insureds or others</p> <p>12 with whom you do business as a representative of</p> <p>13 Cigna?</p> <p>14 A No.</p> <p>15 Q Who do you hold yourself out as a representative</p> <p>16 with when you do business with insureds and</p> <p>17 others?</p> <p>18 A As a representative of either LINA, depending</p> <p>19 upon the case I'm involved with, CLICNY or</p> <p>20 CGLIC, Cigna is the holding company or the brand</p> <p>21 name or marketing term that most people are</p> <p>22 familiar with.</p> <p>23 Q On your business card can you identify for me</p> <p>24 what company is represented?</p> <p>25 A I'm trying to visualize my business card which</p>

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<p style="text-align: right;">Page 30</p> <p>1 I haven't had since my days as a regional claims 2 manager. I can't recall specifically what it 3 refers to. 4 Q I'm not asking for it back then. Do you 5 currently not have a business card? 6 A That is correct. 7 Q In the course of reviewing Mrs. Barnes' file, do 8 you recall coming across the name of Lorraine 9 Dell Harris? 10 A Yes, I do. 11 Q Who do you know Lorraine Dell Harris to be? 12 A She's a long-term disability case manager 13 working in the Pittsburgh claims office. 14 Q To the best of your knowledge, by whom is she 15 employed? 16 A She's employed by Life Insurance Company of 17 North America. 18 Q To your knowledge, is she specifically assigned, 19 among potentially other accounts, to Zeneca 20 policyholder claims? 21 A I don't know that specifically. 22 Q Would it be fair to say that Ms. Harris handles 23 claims for each of the three underwriting 24 companies? 25 A Yes.</p>	<p style="text-align: right;">Page 32</p> <p>1 given their education/vocational history, et 2 cetera. 3 Q Do you know by whom Mr. Engel is employed? 4 A Mr. Engel is employed by Life Insurance Company 5 of North America. 6 Q To your knowledge, does Mr. Engel handle or 7 involve himself in claims for all three of the 8 underwriting companies? 9 A Yes, I expect that he would. 10 MR. NEWFIELD: Fred, I'm going to 11 put you on hold for minute. 12 MR. KNOPF: Do you want to take a 13 break? 14 MR. NEWFIELD: Off the record 15 for a minute. 16 (Brief recess taken) 17 MR. NEWFIELD: What I'd like to do 18 is mark that Exhibit D that we sent 19 over and make that Exhibit E. 20 (Whereupon, Deposition Exhibit E was 21 marked for purposes of identification) 22 MR. NEWFIELD: Fred, I know you 23 don't like to talk on the record, but 24 I want to state for the record that 25 this was Bates stamped I believe by</p>
<p style="text-align: right;">Page 31</p> <p>1 Q Similar to all the LINA claim handling 2 personnel? 3 A That is correct. 4 Q In the course of reviewing Ms. Barnes' file, did 5 you come across the name Vince, Engel, 6 E-N-G-E-L? 7 A I know that the file contains some work by the 8 vocational consultant. I know that Vince Engel 9 works in our Pittsburgh claims office, but I 10 don't specifically recollect seeing Vince's name 11 or work product in the file. 12 Q I'll just base it then on your general knowledge 13 rather than get involved with exhibits 14 concerning Mr. Engel. 15 Would Mr. Engel perform -- strike that. 16 What services to your knowledge does Mr. Engel 17 perform in his work with LINA? 18 A He performs the services that a vocational 19 rehabilitation consultant would perform, 20 specifically reviewing files for establishing or 21 creating appropriate plans to return individuals 22 to work, case managers could refer files to him 23 for a vocational analysis or a transfer of 24 skills assessment to determine if there are 25 other jobs or occupations that someone could do</p>	<p style="text-align: right;">Page 33</p> <p>1 your office and produced by us in 2 connection with this case; is that 3 correct? 4 MR. KNOPF: Are you representing 5 that? Unfortunately, I forgot my 6 photographic memory of the record. 7 MR. NEWFIELD: I'm representing 8 that these are two pages that I took 9 from what was Bates stamped and sent 10 to our office under your cover letter 11 dated December 26, 2007 from Emily 12 Hayes. I'll make that representation 13 and presumably you'll confirm that 14 through your own resources. I won't 15 ask you to state it on the record. 16 BY MR. NEWFIELD: 17 Q Mr. Lodi, can you take a look at these two pages 18 for me for a moment? 19 A Yes, I have them here. 20 Q Do you have an understanding as to what these 21 two pages represent? 22 A It's defining the eligible employees under 23 policy LK-7321, showing the classes of eligible 24 employees and listing on the bottom of the first 25 and the second page work locations.</p>

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<p>1 Q Can you just go back to Exhibit B that we had 2 previously discussed?</p> <p>3 A Yes, I have that here.</p> <p>4 Q If you can turn to page 5 of that document for 5 me, please.</p> <p>6 A I have it.</p> <p>7 Q It appears that they're not identical. Perhaps 8 you can enlighten me as to what the distinctions 9 are?</p> <p>10 MR. KNOPF: You want him to 11 compare the two documents?</p> <p>12 BY MR. NEWFIELD:</p> <p>13 Q If you could.</p> <p>14 A I believe the document marked as Exhibit B is 15 how this section is contained in the Certificate 16 of Insurance and the document noted to be 17 Exhibit E is how it would be presented in the 18 policy.</p> <p>19 Q What is the difference between the policy and 20 the Certificate of Insurance?</p> <p>21 A My understanding is the Certificate is the 22 all-encompassing document and the policy may be 23 specific to different locations or different 24 classes.</p> <p>25 Q Can you look at Exhibit E and indicate whether</p>	<p>1 independent medical evaluations, functional 2 capacity evaluations, other aspects of a 3 vocational rehabilitation plan if we wanted to 4 have someone work with a claimant or individual 5 in their location, if you will.</p> <p>6 Q So, toward that end, does LINA contract with any 7 third party vendors that are located in New 8 York?</p> <p>9 A I don't know of any specifically.</p> <p>10 Q In the course of your work with LINA as a senior 11 operations representative, do you have any 12 specific knowledge of any particular file where 13 LINA engaged a vendor that was located in New 14 York?</p> <p>15 A I don't recall specifically.</p> <p>16 Q So, for instance, if you had an insured who 17 resided in New York for which -- as part of the 18 claim handling an IME was going to be scheduled, 19 would that generally be done on a New York 20 Claimant in New York?</p> <p>21 MR. KNOPF: Objection to form.</p> <p>22 THE DEPONENT: Yes, it would.</p> <p>23 Typically though, we make the 24 arrangements with a vendor who then 25 contacts physicians in the various</p>
Page 35	Page 37
<p>1 New York, New York salaried employees are part 2 of the classes of eligible employees on this 3 document?</p> <p>4 A Yes. It shows up in the same -- roughly the 5 same location as on Exhibit B, specifically the 6 third entry in the second column on the right 7 side of the page.</p> <p>8 Q Thank you.</p> <p>9 Mr. Lodi, in connection with your work with 10 the company, are you familiar with whether LINA 11 contracts with any third party vendors?</p> <p>12 A Yes.</p> <p>13 Q What type of third party vendors would LINA 14 contract with in the course of disability 15 claims?</p> <p>16 MR. KNOPF: In the course of what?</p> <p>17 MR. NEWFIELD: Disability claim?</p> <p>18 MR. KNOPF: In the course of 19 handling disability claims?</p> <p>20 MR. NEWFIELD: Yes, in the course 21 of handling disability claims. I'll 22 adopt your question.</p> <p>23 BY MR. NEWFIELD:</p> <p>24 Q Can you --</p> <p>25 A We can engage vendors who help us to arrange for</p>	<p>1 locations. However, if there was a 2 situation that would call for a -- for 3 example, a rehabilitation on site in 4 home visit, again, we would probably 5 work with one of the national vendors 6 and they would, of course, contact 7 someone in the local area. If the 8 claimant resided in New York State, it 9 would certainly be someone in that 10 location.</p> <p>11 BY MR. NEWFIELD:</p> <p>12 Q What about if LINA was to seek surveillance of a 13 particular claimant in the course of their claim 14 handling, would they contact with a New York 15 vendor?</p> <p>16 A If surveillance was required and there were only 17 vendors in New York, yes. I'm thinking, again, 18 there might be some scenarios where we use 19 national organizations and they would then vend 20 it out to someone locally. But I could imagine 21 a scenario where we do engage someone in New 22 York to conduct surveillance or an IME or 23 something like that.</p> <p>24 Q Does LINA employ field representatives that meet 25 with claimants?</p>

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<p style="text-align: right;">Page 38</p> <p>1 A No, we don't.</p> <p>2 MR. NEWFIELD: Fred, I'm going to</p> <p>3 put you on hold for one minute.</p> <p>4 MR. KNOPF: Sure.</p> <p>5 BY MR. NEWFIELD:</p> <p>6 Q Mr. Lodi, to your knowledge does LINA have any</p> <p>7 employees that reside in New York?</p> <p>8 A I don't believe so, no.</p> <p>9 Q The New York address for Cigna, do you know what</p> <p>10 occurs at that address?</p> <p>11 MR. KNOPF: In New York City?</p> <p>12 MR. NEWFIELD: Yes.</p> <p>13 BY MR. NEWFIELD:</p> <p>14 Q I believe it's Park Avenue --</p> <p>15 A No, I don't.</p> <p>16 Q Are you familiar with that address or you're</p> <p>17 not?</p> <p>18 A I know there is one, but I don't know what they</p> <p>19 do there.</p> <p>20 Q What about -- is there a Hartford office for</p> <p>21 Cigna?</p> <p>22 A Connecticut General is based in Bloomfield. It</p> <p>23 wouldn't surprise me if there was one in</p> <p>24 Hartford.</p> <p>25 Q That would be underwriting or sales rather than</p>	<p style="text-align: right;">Page 40</p> <p>1 those claims in the claims</p> <p>2 organization, although the other</p> <p>3 aspects of the work involving</p> <p>4 underwriting, accounting, sales, et</p> <p>5 cetera, are all specific and</p> <p>6 distinct.</p> <p>7 BY MR. KNOPF:</p> <p>8 Q Are you familiar with the inner workings of the</p> <p>9 accounting aspects of those agreements?</p> <p>10 A No, I'm not.</p> <p>11 Q Do you know if there are accounting personnel</p> <p>12 employed by LINA that who would be familiar with</p> <p>13 that?</p> <p>14 A I would expect there would be, yes.</p> <p>15 Q Do you know whether LINA has any decision-making</p> <p>16 authority over the business of Cigna Life of New</p> <p>17 York and/or Connecticut General Life Insurance</p> <p>18 Company?</p> <p>19 MR. NEWFIELD: Objection to form.</p> <p>20 THE DEPONENT: I know that they do</p> <p>21 not.</p> <p>22 MR. KNOPF: I have no other</p> <p>23 questions.</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 39</p> <p>1 claims?</p> <p>2 A Yes. The claims entities are in the three sites</p> <p>3 that I mentioned before.</p> <p>4 Q How long has the Glendale site been operational</p> <p>5 to your knowledge?</p> <p>6 A Four to five years.</p> <p>7 MR. NEWFIELD: One minute, Fred.</p> <p>8 Mr. Lodi, thank you for your time.</p> <p>9 I think we are done with the</p> <p>10 deposition.</p> <p>11 Fred, I don't know if you have any</p> <p>12 questions.</p> <p>13 MR. KNOPF: I do have a few</p> <p>14 questions actually.</p> <p>15 EXAMINATION</p> <p>16 BY MR. KNOPF:</p> <p>17 Q Mr. Lodi, are you familiar with whether there</p> <p>18 are any service contracts or cost-sharing</p> <p>19 arrangements that exist between LINA, Cigna Life</p> <p>20 of New York, and Connecticut General Life</p> <p>21 Insurance Company?</p> <p>22 MR. NEWFIELD: Objection to form.</p> <p>23 THE DEPONENT: My understanding is</p> <p>24 that there are service agreements that</p> <p>25 allow employees of LINA to manage</p>	<p style="text-align: right;">Page 41</p> <p>1 EXAMINATION</p> <p>2 BY MR. NEWFIELD:</p> <p>3 Q Just to further that for a minute, can you tell</p> <p>4 me when you say they do not, what do you mean</p> <p>5 they have no decision making?</p> <p>6 A My understanding is that there are three</p> <p>7 distinct organizations, underwriting entities,</p> <p>8 that have separate and distinct ways of</p> <p>9 reserving, accounting, selling their various</p> <p>10 products and that they have agreements that</p> <p>11 allow the employees in the three claim offices</p> <p>12 who are all employees of LINA to apply the same</p> <p>13 claim process to all of the claims that come</p> <p>14 into the shop.</p> <p>15 Q And you're not familiar with the reserving or</p> <p>16 the accounting aspects?</p> <p>17 A I'm not familiar with how they would differ;</p> <p>18 but, no, I'm not -- my focus has always been on</p> <p>19 the claims process, the operational way that</p> <p>20 claims are managed in the office regardless of</p> <p>21 underwriting entity.</p> <p>22 Q When you say you don't know how they differ, how</p> <p>23 do you know that they differ?</p> <p>24 A For example, I do know in my prior role as a</p> <p>25 regional claim manager that there are different</p>

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<p style="text-align: right;">Page 42</p> <p>1 ways of reserving, that the underwriting</p> <p>2 entities reserve differently. I know that</p> <p>3 expenses, for example, are processed differently</p> <p>4 depending on the underwriting entity, and the</p> <p>5 policies look different. Their formats are</p> <p>6 different.</p> <p>7 Q How long ago was this that you were -- did you</p> <p>8 say regional claims manager?</p> <p>9 A Yes.</p> <p>10 Q How long ago?</p> <p>11 A I moved into the senior operations role in</p> <p>12 approximately 2001. Prior to that, for about</p> <p>13 five years, I was a regional claims manager.</p> <p>14 Q So, do you know today as we sit here whether the</p> <p>15 three underwriting entities reserve differently?</p> <p>16 A Yes. I know there has not been a change.</p> <p>17 Q So, were you familiar with all three distinct</p> <p>18 matters in which they reserved back when you</p> <p>19 were a regional claims manager?</p> <p>20 A The specifics of how they reserve was not</p> <p>21 something that anyone in claims would be</p> <p>22 necessarily aware of as it would not have an</p> <p>23 impact on what we did from a claims operational</p> <p>24 side.</p> <p>25 Q So, how would you know that they reserved</p>	<p style="text-align: right;">Page 44</p> <p>1 Mr. Newfield, it's contained in public</p> <p>2 documents.</p> <p>3 MR. NEWFIELD: We're going to call</p> <p>4 for the production of those documents</p> <p>5 that Mr. Lodi has testified to in</p> <p>6 response to your specific question.</p> <p>7 If you care to just advise me where I</p> <p>8 could find it myself, it might</p> <p>9 short-circuit the request for</p> <p>10 production. Is there a response?</p> <p>11 MR. KNOPF: I'll take that under</p> <p>12 consideration and get back to you.</p> <p>13 BY MR. NEWFIELD:</p> <p>14 Q So, Mr. Lodi, you've never seen any documents</p> <p>15 that purport to address LINA's ability to</p> <p>16 consider disability claims for the other two</p> <p>17 underwriting companies?</p> <p>18 MR. KNOPF: I have no idea what</p> <p>19 that question means. Objection.</p> <p>20 BY MR. NEWFIELD:</p> <p>21 Q Does the witness understand the question?</p> <p>22 A If you're asking if I've ever seen the actual</p> <p>23 document, the answer is no. That wouldn't be</p> <p>24 something that from a claim's perspective would</p> <p>25 be relevant to what I would be doing either in</p>
<p style="text-align: right;">Page 43</p> <p>1 differently?</p> <p>2 A Because I was aware of the reserving process.</p> <p>3 As a manager, I would get reports that would</p> <p>4 identify reserves. They came from different</p> <p>5 areas. They were formatted differently. They</p> <p>6 were prepared by different people at different</p> <p>7 locations. They were not similar.</p> <p>8 Q Where would the reserves be generated out of</p> <p>9 during your time as a regional claims manager?</p> <p>10 A For LINA it would come from Philadelphia; for</p> <p>11 Connecticut General it would come from</p> <p>12 Bloomfield, Connecticut; and I don't recall</p> <p>13 specifically where it would come for CLICNY.</p> <p>14 Q You talked about service contracts for claim</p> <p>15 handling between LINA, CLICNY and CGLIC.</p> <p>16 Can you tell me if you've ever seen that</p> <p>17 service contract?</p> <p>18 A No, I never have.</p> <p>19 Q How do you know it exists?</p> <p>20 A Because I know that employees of LINA manage and</p> <p>21 handle and otherwise process claims that involve</p> <p>22 all three underwriting entities and I couldn't</p> <p>23 imagine that occurring without someone at those</p> <p>24 entities entering into such an agreement.</p> <p>25 MR. KNOPF: I can also tell you,</p>	<p style="text-align: right;">Page 45</p> <p>1 my current role or in my former role as a claims</p> <p>2 manager.</p> <p>3 Q You indicated I think on the record that you</p> <p>4 couldn't imagine LINA reviewing claims for the</p> <p>5 underwriting companies without a written</p> <p>6 agreement. So, I guess I'm asking you the basis</p> <p>7 upon which you would arrive at that</p> <p>8 determination?</p> <p>9 A Well, I guess from just a general intuitive</p> <p>10 common sense way of looking at it, if I'm</p> <p>11 someone who works for Connecticut Life Insurance</p> <p>12 Company, I'm going to want to make sure I'm</p> <p>13 aware of the process and applications that are</p> <p>14 being afforded to the claims for which I'm</p> <p>15 ultimately financially responsible. It would</p> <p>16 just strike me as something that could not</p> <p>17 happen without people at the appropriate levels</p> <p>18 entering into an agreement to consent to have</p> <p>19 employees at LINA perform that function for</p> <p>20 them.</p> <p>21 MR. NEWFIELD: Thanks again. I</p> <p>22 appreciate your time. I don't know if</p> <p>23 Mr. Knopf has any further questions</p> <p>24 for you.</p> <p>25 MR. KNOPF: We're all set. Thank</p>

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1 you very much.
 2 I guess we should recite the stips
 3 which is all objections except as to
 4 form are reserved for trial and we
 5 waive reading and signing before this
 6 court reporter.
 7 Is that okay with you?
 8 MR. NEWFIELD: I'm okay with that.
 9 I stipulate.
 10 (Whereupon, deposition concluded at 1:15 p.m.)
 11 (Signature waived)
 12
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1
 2 C-E-R-T-I-F-I-C-A-T-E
 3 COMMONWEALTH OF PENNSYLVANIA)
 4) SS:
 5 COUNTY OF ALLEGHENY)
 6
 7 I, Bernadette Mullen, the undersigned, a duly
 8 commissioned and qualified Notary Public within and for
 9 the Commonwealth of Pennsylvania, do hereby certify that
 10 before the taking of said deposition, the said deponent
 11 was by me first duly sworn to testify to the truth, the
 12 whole truth, and nothing but the truth;
 13 That the said deposition was taken in all
 14 respects pursuant to the stipulations of counsel
 15 heretofore set forth;
 16 I further certify that the reading and signing
 17 of the transcript of the said deposition was waived by
 18 the deponent and by counsel for the respective parties
 19 and that the said deposition constitutes a true record
 20 of the testimony given by the said deponent;
 21 I further certify that I am not an attorney or
 22 relative of any of the parties and have no interest
 23 whatsoever in the event of this litigation.
 24 IN WITNESS WHEREOF, I have hereunto set my
 25 hand and affixed my seal of office at Pittsburgh,
 26 Pennsylvania, this 21st day of January, 2008.
 27
 28
 29
 30
 31
 32

Bernadette Mullen, Notary Public

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